

IN THE DISTRICT COURT OF THE UNITED STATES

For the Western District of New York

THE UNITED STATES OF AMERICA

-vs-

KIRK COTTOM

**APRIL 2015 GRAND JURY
(Impaneled April 13, 2015)**

INDICTMENT

Violations:

Title 18, United States Code, Sections
2252A(a)(2)(A) and 2252A(a)(5)(B)

(4 Counts and Forfeiture Allegation)

COUNT 1

(Receipt of Child Pornography)

The Grand Jury Charges That:

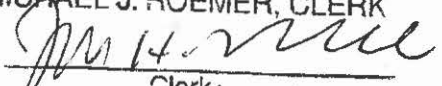
Between on or about February 1, 2013, and on or about April 9, 2013, in the Western District of New York, and elsewhere, the defendant, KIRK COTTOM, did knowingly receive, and attempt to receive, child pornography as defined in Title 18, United States Code, Section 2256(8)(A), that had been shipped and transported using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and 2252A(b)(1).

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ATTEST: A TRUE COPY
U.S. DISTRICT COURT, WDNY
MICHAEL J. ROEMER, CLERK

By


Clerk
Original Filed 4/21/15

COUNT 2

(Possession of Child Pornography)

The Grand Jury Further Charges That:

Between on or about May 1, 2012, and on or about April 9, 2013, in the Western District of New York, the defendant, KIRK COTTOM, did knowingly possess, and knowingly access with intent to view, material, that is, a 500-Gigabyte Seagate computer hard drive, bearing serial number 9QM0272Z, that contained images of child pornography as defined in Title 18, United States Code, Section 2256(8), that had been shipped and transported using any means and facility of interstate and foreign commerce; that had been shipped and transported in and affecting interstate and foreign commerce, by any means, including by computer; and that were produced using materials that had been mailed and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

COUNT 3

(Possession of Child Pornography)

The Grand Jury Further Charges That:

Between on or about May 1, 2012, and on or about April 9, 2013, in the Western District of New York, the defendant, KIRK COTTOM, did knowingly possess, and knowingly access with intent to view, material, that is, a 2-Terabyte Western Digital

computer hard drive, bearing serial number WMAY00357384, that contained images of child pornography as defined in Title 18, United States Code, Section 2256(8), that had been shipped and transported using any means and facility of interstate and foreign commerce; that had been shipped and transported in and affecting interstate and foreign commerce, by any means, including by computer; and that were produced using materials that had been mailed and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

COUNT 4

(Possession of Child Pornography)

The Grand Jury Further Charges That:

Between on or about May 1, 2012, and on or about April 9, 2013, in the Western District of New York, the defendant, KIRK COTTOM, did knowingly possess, and knowingly access with intent to view, material, that is, a 250-Gigabyte Fujitsu computer hard drive, bearing serial number K41LT852EG0V, that contained images of child pornography as defined in Title 18, United States Code, Section 2256(8), that had been shipped and transported using any means and facility of interstate and foreign commerce; that had been shipped and transported in and affecting interstate and foreign commerce, by any means, including by computer; and that were produced using materials that had been mailed and

shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

FORFEITURE ALLEGATION

The Grand Jury Alleges That:

Upon conviction of one or more of the offenses alleged in this Indictment, the defendant, KIRK COTTOM, shall forfeit to the United States any visual depiction described in Title 18, United States Code, Section 2252A, or any property which contains any such visual depiction, and any property, real or personal, used or intended to be used to commit or to promote the commission of such offense, and all property traceable to such property, including but not limited to the following:

- a. one (1) Sony laptop bearing serial number C600FNHW;
- b. one (1) 250-Gigabyte Fujitsu computer hard drive, bearing serial number K41LT852EG0V;
- c. one (1) custom built computer, in a Lian Li black case, bearing no serial number;
- d. one (1) 500-Gigabyte Seagate computer hard drive, bearing serial number 9QM0272Z; and

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- e. one (1) 2-Terabyte Western Digital computer hard drive, bearing serial number WMAY00357384.

All pursuant to Title 18, United States Code, Sections 2253(a)(1) and 2253(a)(3).

DATED: Rochester, New York, April 21, 2015.

WILLIAM J. HOCHUL, JR.
United States Attorney

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A TRUE BILL:

s/FOREPERSON